

Message Text

UNCLASSIFIED

PAGE 01 PORT O 00626 181706Z

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ACTION CPR-02

INFO OCT-01 ARA-16 ISO-00 L-03 DRC-01 RSC-01 /024 W

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R 181412Z MAR 74

FM AMEMBASSY PORT OF SPAIN

TO SECSTATE WASHDC 6170

UNCLAS PORT OF SPAIN 626

E.O. 11652: N/A

TAGS: PFOR OGEN AFSP TD

SUBJECT: IMMUNITIES: CIVIL SUIT AGAINST EMBASSY OFFICER

EMBASSY DIPLOMATIC/CONSULAR OFFICER, HIS WIFE AND TRINIDAD CITIZEN LANDLORD RECEIVED A WRIT OF SUMMONS REQUIRING THEIR APPEARANCE BE ENTERED BEFORE THE HIGH COURT OF JUSTICE, PORT OF SPAIN, TRINIDAD IN A CIVIL SUIT BROUGHT BY EMBOFF'S NEIGHBOR. PLAINTIFF'S NEIGHBOR SUES FOR DAMAGES TO HIS LAND AND PREMISES CAUSED BY THE NUISANCE AND/OR NEGLIGENCE OF THE DEFENDANTS IN PERMITTING A TREE TO OVERHANG AND/OR ENCROACH AND FALL UPON THE PLAINTIFF'S PREMISES.

THE TREE DID IN FACT FALL ACROSS THE PLAINTIFF'S BOATSHED ALTHOUGH PLAINTIFF'S ACTS MAY HAVE AGGRAVATED DAMAGE. EMBOFF'S WIFE CLAIMS THAT SHE HAD ADVISED DEFENDANT LANDLORD THAT PLAINTIFF'S NEIGHBOR DID ASK THAT THE INFRINGING TREE BE CUT DOWN AT AN EARLIER DATE. EMBOFF HAS PRIVATE LEASE WITH DEFENDANT LANDLORD.

EMBASSY HOLDS OPINION THAT EMBASSY OFFICER AND WIFE ARE ENTITLED TO IMMUNITY BY VIRTUE OF ARTICLE 31 OF THE VIENNA CONVENTION OF DIPLOMATIC RELATIONS OF APRIL 1971.

ALTHOUGH INFORMAL INQUIRIES OR REPRESENTATIONS MAY CAUSE DELETION OF EMBOFF AND WIFE'S NAME FROM ACTION, A NOTE MAY HAVE TO BE SENT TO THE MINISTRY.

EMBASSY SEEKS DEPARTMENTAL GUIDANCE. THE SPECIFIC LANGUAGE TO BE INCORPORATED IN SUCH NOTE WOULD BE HELPFUL.

MILLER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LITIGATION, DIPLOMATIC PRIVILEGES, DIPLOMATIC PERSONNEL
Control Number: n/a
Copy: SINGLE
Draft Date: 18 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974PORTO00626
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: PORT OF SPAIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740335/aaaabgwv.tel
Line Count: 52
Locator: TEXT ON-LINE
Office: ACTION CPR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 1
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Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
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Review Authority: kelleyw0
Review Comment: n/a
Review Content Flags:
Review Date: 13 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 SEP 2002 by elbezefj>; APPROVED <09 DEC 2002 by kelleyw0>
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30 JUN 2005

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Status: NATIVE
Subject: IMMUNITIES: CIVIL SUIT AGAINST EMBASSY OFFICER EMBASSY DIPLOMATIC/CONSULAR OFFICER, HIS WIFE AND TRINIDAD CITIZEN
TAGS: PFOR, OGEN, AFSP, TD, US
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Type: TE
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